

COPY in 11J

1957

January 31

Mr. Adelard E. Cote, Labor Commissioner  
Department of Labor  
15 Pleasant Street  
Concord, New Hampshire

Dear Sir:

Your inquiry of January 18, 1957, requests an opinion as to whether two females of the Laconia State School, employed by a nursing home, are subject to the provisions of the minimum wage law. (RSA 279, as amended).

Our answer is in the affirmative.

RSA 279:22, as amended, provides for the employment of persons whose earnings are impaired by age or mental deficiency and said section sets a mandatory minimum of 65¢ per hour upon application made to the Commissioner of Labor. I understand from your letter that the application was not made in the instant case.

The allowance of \$12 per week for room and board credit could, of course, be adjusted in the light of changing economic conditions.

The special license provisions contained in RSA 279:11 are not applicable in the instant case since the minimum wage rates contained in RSA 279:22 were established by the Legislature and not by the Commissioner.

Sincerely yours,

William J. Deachman  
Assistant Attorney General

WJD/T

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